

THE UNITED STATES DISTRICT COURT FOR
SOUTHERN DISTRICT OF NEW YORK

-----X)	
GENOA COLOR TECHNOLOGIES, LTD.,)	
Plaintiff.)	
)	
v.)	Civil Action No. 07-CV-6233 (PKC)
)	
MITSUBISHI ELECTRIC CORP.;)	(JURY TRIAL DEMANDED)
MITSUBISHI ELECTRIC US HOLDINGS, INC.)	
MITSUBISHI ELECTRIC AND)	ECF Case
ELECTRONICS USA, INC.;)	
MITSUBISHI DIGITAL ELECTRONICS)	
AMERICA, INC.; SAMSUNG)	
ELECTRONICS CO., LTD.; SAMSUNG)	
ELECTRONICS AMERICA, INC.)	
Defendants.)	
-----X)	
SAMSUNG ELECTRONICS CO., LTD.;)	
SAMSUNG ELECTRONICS AMERICA, INC.,)	
Counterclaim-Plaintiffs.)	
v.)	
)	
GENOA COLOR TECHNOLOGIES, LTD.)	
Counterclaim-Defendant.)	
-----X)	

GENOA COLOR TECHNOLOGIES REPLY TO SAMSUNG'S COUNTERCLAIMS

Pursuant to Rule 8 of the Federal Rules of Civil Procedure, Attorneys for Plaintiff, Counterclaim-Defendant Genoa Color Technologies, Ltd. ("Genoa" or "Plaintiff") hereby reply to the Counterclaims of Defendants and Counterclaim-Plaintiffs Samsung Electronics Co., Ltd. ("SEC") and Samsung Electronics America, Inc. ("SEA"; collectively "Samsung" or Defendant") as follows.

Genoa denies each and every allegation contained in the Counterclaims that is not expressly admitted below. Any factual allegation admitted below is admitted only to the specific admitted facts, not as to any alleged conclusions, characterizations, implications, or speculations that may arguably follow from the admitted facts. Genoa denies that Samsung is entitled to the relief requested or any other relief.

COUNTERCLAIMS

COUNT I

(Declaratory Judgment of Patent Noninfringement))

1. Genoa admits that the counterclaims are purported to arise under the patent laws of the United States, Title 35 U.S.C. Genoa admits that 28 U.S.C. §§ 1331, 1367, 1338, 2201, and 2202 authorize federal courts to exercise jurisdiction over civil actions arising under any Act of Congress relating to patents, to exercise supplemental jurisdiction over all other claims that are so related to claims in the action, and declare the rights and other legal relations of any interested party, but otherwise denies the allegations of this paragraph.

2. Genoa lacks sufficient knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph, and therefore denies the same.

3. Genoa lacks sufficient knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph, and therefore denies the same.

4. Admitted.

5. Admitted.

6. Admitted.

7. Admitted

8. Denied.

9. Denied.

10. Denied.

11. Denied.

12. Denied.

13. Denied.

14. Denied.

15. Denied.

16. Denied.

17. Denied.

18. Denied.

19. Genoa admits that an actual and justiciable controversy exists between Genoa and Samsung. Genoa lacks sufficient knowledge or information to form a belief as to the remaining allegations in this paragraph, and therefore Genoa denies the same.

20. Denied.

21. Denied.

COUNT II

(Declaratory Judgment of Patent Invalidity)

22. Genoa repeats and realleges each answer contained in the prior paragraphs as fully set for the herein.

23. Denied.

24. Denied.

25. Genoa admits that an actual and justiciable controversy exists between

Genoa and Samsung. Genoa lacks sufficient knowledge or information to form a belief as to the remaining allegations in this paragraph, and therefore Genoa denies the same.

26. Denied.

27. Denied.

COUNT III

(Declaratory Judgment of Patent Unenforceability)

28. Genoa repeats and realleges each answer contained in the prior paragraphs as fully set for the herein.

29. Denied.

30. Denied.

31. Admits that those involved in the prosecution of the U.S. Patent No. 7,113,152 (the “152 patent”) have a duty to disclose material information to the United States Patent and Trademark Office under 37 C.F.R. 1.56, but otherwise deny the remaining allegations of this paragraph.

32. Denied.

33. Denied.

34. Denied.

35. Denied.

AFFIRMATIVE AND OTHER DEFENSES

By way of further answer, and as Affirmative Defenses to the Counterclaims, Genoa states as follows:

FIRST AFFIRMATIVE DEFENSE

(Failure to State a Claim)

The Counterclaims fail to state a claim upon which relief may be granted.

SECOND AFFIRMATIVE DEFENSE

(Waiver, Estoppel, Laches. Unclean Hands)

Samsung has or may have waived the right, if any to pursue its claims by reason of its own actions and course of conduct, including, but not limited to, estoppel, and/or the doctrines of laches or unclean hands.

Genoa reserves the right to assert additional defenses as this case progresses and discovery proceeds.

PRAYER FOR ADDITIONAL RELIEF

WHEREFORE, Plaintiff, Counterclaim-Defendant Genoa respectfully prays this Court enter judgment:

1. Dismissing the Counterclaims with prejudice.
2. Awarding Genoa its costs and reasonable attorneys' fees incurred in this action.
3. That the Court order such other, further, and different relief as the nature of this action may require and that the Court may deem just and proper.
4. That the Court retain jurisdiction of this action for the purpose of enabling Genoa to apply to the Court, at any time, for such further orders and

directions as may be necessary or appropriate for the interpretation or execution of any order entered in this action, for the modification of any such order, for the enforcement or compliance therewith, and for the punishment of any violations thereof.

Dated: November 202007

PEARL COHEN ZEDEK LATZER LLP

By: 

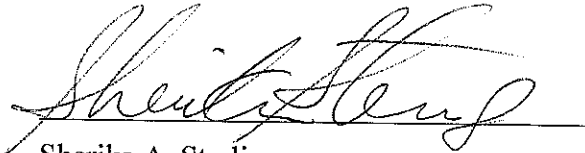
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CERTIFICATE OF SERVICE

I hereby certify that this document, filed through the ECF system, will be sent electronically to the registered participants on the Notice of Electronic Filing and paper copies will be sent to those indicated as non-registered participants on November 20, 2007.


Sherika A. Sterling